

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE:	:	
	:	
Foamex International Inc.,	:	Bankruptcy Case 05-12685
et al.,	:	
	:	
Debtors.	:	

BANK OF NEW YORK as Indenture	:	
Trustee,	:	
	:	
Appellant,	:	
	:	
v.	:	Civil Action No. 07-212 JJF
	:	
FOAMEX INTERNATIONAL INC.,	:	
	:	
Appellee.	:	

O R D E R

WHEREAS, Appellant, The Bank of New York as Indenture Trustee, has requested that the parties be excused from the mandatory mediation process (D.I. 4);

WHEREAS, Appellees do not oppose the request;

NOW THEREFORE, IT IS HEREBY ORDERED that Appellant's Request To Be Excused From Mediation (D.I. 4) is GRANTED.

IT IS FURTHER ORDERED that the parties shall adhere to the following briefing schedule unless an otherwise agreed upon schedule is filed within fifteen (15) days of the date of this Order:

Appellants Opening Brief on appeal shall be filed within **fifteen (15) days** of the date of this Order.

Answering Brief on appeal shall be filed withing

fifteen (15) days of receipt of opening brief.

Reply Brief on appeal shall be filed within **ten (10)**
days of receipt of answering brief.

June 8, 2007
DATE


UNITED STATES DISTRICT JUDGE